

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

In re:

In Re:

Evaristo Burdiez,

Debtor.



Order Filed on December 2, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Hearing Date: November 18, 2021

Case No.: 20-23664 VFP

Chapter: 13

Judge: Vincent F. Papalia

**ORDER GRANTING MOTION OF NORTH JERSEY PUBLIC ADJUSTERS INC. FOR
THE RELEASE OF ITS PUBLIC ADJUSTER'S FEE AND DENYING CROSS MOTION**

The relief set forth on the following page is **ORDERED**.

DATED: December 2, 2021



Honorable Vincent F. Papalia
United States Bankruptcy Judge

Creditor North Jersey Public Adjusters, Inc. ("North Jersey"), by and through its counsel, Jeffrey A. Bronster, Esq., having moved the Court for an Order directing the return from the bankruptcy estate of its public adjuster's fee in the amount of \$12,532.73 (the "Motion"), and Debtor Evaristo Burdiez (the "Debtor") having opposed the Motion and filed a Cross-motion (the "Corrss-motion") through his counsel, Roger Chavez, Esq., for an Order expunging North Jersey's Proof of Claim and compelling certain discovery, and the Court having duly considered all of the papers submitted and the arguments had thereupon, and for good cause shown for the reasons stated by the Court on the record on November 18, 2021, it is hereby

ORDERED as follows:

1. North Jersey's Motion is granted, and the Chapter 13 Trustee shall accordingly issue a check in the amount of \$12,532.71 payable to "North Jersey Public Adjusters, Inc.", to be sent to the office of North Jersey's counsel. In issuing this Order, it is the Court's express intent and determination that for purposes of this bankruptcy proceeding, and to the extent relevant to other proceedings, the release and payment of this amount is to be attributed one-half (or \$6,266.36) each to the Debtor and Ms. Cecilia Otero, as was argued by Ms. Otero, but was disputed by the Debtor;

2. Within 10 days of receipt of the check from the Trustee, North Jersey shall withdraw its Proof of Claim, filed as Proof of Claim No. 20.

3. Debtor's Cross-motion to expunge North Jersey's claim is denied;

4. This Order is not and is not intended to be an adjudication of any cause of action that Debtor may claim to have against North Jersey based on its performance of its public adjusting services, and is entered without prejudice to whatever rights the Debtor may have to assert such a claim and without prejudice to North Jersey's rights to assert any defenses it may have to any such claim; and

5. Debtor's Cross-motion to compel certain discovery is denied, without prejudice to Debtor's right to refile it as a separate motion.

In re:
Evaristo Burdiez
Debtor

Case No. 20-23664-VFP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Dec 02, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 04, 2021:

Recip ID	Recipient Name and Address
db	+ Evaristo Burdiez, 365 River Road, Bogota, NJ 07603-1017

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 04, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 2, 2021 at the address(es) listed below:

Name	Email Address
Alex A Pisarevsky	on behalf of Interested Party Melissa Cohen Esq ap@njlawfirm.com
Alex A Pisarevsky	on behalf of Creditor Weinberg & Cooper LLC ap@njlawfirm.com
Alex A Pisarevsky	on behalf of Creditor Weinberg & Cooper LLC ap@njlawfirm.com
David Kromm	on behalf of Creditor The Port Authority of New York and New Jersey dkromm@panynj.gov panylit@panynj.gov
Denise E. Carlon	on behalf of Creditor U.S. Bank Trust National Association as Trustee for GIFM Holdings Trust dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Franklin G. Soto	

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Date Rcvd: Dec 02, 2021

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Total Noticed: 1

on behalf of Creditor Jose Fenibal Duque-Castano yesenia@bsglaw.com soto96356@notify.bestcase.com

Franklin G. Soto

on behalf of Creditor Claudia Marcela Duque-Salazar yesenia@bsglaw.com soto96356@notify.bestcase.com

Franklin G. Soto

on behalf of Creditor Gloria Liliana Salazar yesenia@bsglaw.com soto96356@notify.bestcase.com

Gregory L. Van Dyck

on behalf of Creditor NJSVS Surcharge Violation System Office gregory.vandyck@law.njoag.gov

Jeffrey A. Bronster

on behalf of Creditor North Jersey Public Adjusters Inc. jbronster@bronsterlaw.com

Jill Cadre

on behalf of Debtor Evaristo Burdiez jill@cadrelaw.com

Jill Cadre

on behalf of Creditor Cecilia Otero jill@cadrelaw.com

John Richard Voorhees, III

on behalf of Creditor Cecilia Otero bk@focusedlaw.com
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Marie-Ann Greenberg

on behalf of Trustee Marie-Ann Greenberg magecf@magtrustee.com

Roger Chavez

on behalf of Debtor Evaristo Burdiez rchavez01@aol.com rchavez@chavezlegal.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 17